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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

November 10, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Re: Proposed Amendment of FM
Table of Allotments

Dear Ms. Searcy:

Transmitted herewith, on behalf of C.W.A. Broadcasting, Inc. Permittee: For WFBR.FM, Cambridge, Maryland are an original and four copies of a Petition for Rulemarking.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with the undersigned.

Very truly yours,

Charles W. Adams Jr.
Charles W. Adams, Jr., President
C.W.A Broadcasting, Inc.
35 Solomons Island Road
Annapolis, MD 21401

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

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NOV 16 1992

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of)
Amendment of Section 73.202(b),)
Table of Allotments,) MM Docket No.
FM Broadcast Stations) RM-
Cambridge and St. Michaels,)
Maryland)

To: The Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RULEMAKING

C.W.A. Broadcasting, Inc. ("CWA"), permittee of WFBR (FM), Cambridge, Maryland, by its president and pursuant to Section 1.420(1) of the commission's rules, hereby petition the commission to institute a rulemaking proceeding to amend the Table of FM Allotments 73.202(b). CWA seeks to amend the FM Table of Allotments in the above-captioned communities to permit the following substitution. To eliminate Channel 232A at Cambridge, Maryland and place Channel 232A at St. Michaels, Maryland and to modify the construction permit of WFBR FM accordingly. (BMPH 920828JK). The proposed change in the rules is summarized as follows:

<u>City</u>	<u>Channel Number</u>	
	<u>Present</u>	<u>Proposed</u>
Cambridge, MD	292A, 232A	
St. Michaels, MD	_____	232A

- (1) The proposed new community of license St. Michaels, Maryland is situated in the central part of Maryland's Eastern Shore and is part of Talbot County, Maryland. St. Michaels, the oldest town in Talbot County, has a rich history that pre-dates the founding of colonial Maryland. The storybook setting of this pleasant harbor village attracts visitors by both land and sea. Colorful lore of days gone by is of much interest as are the museums, shops, quaint bed and breakfast inns and fine dining establishments that are found in St. Michaels. St. Michaels is home to the Chesapeake Bay Maritime Museum, Museum of Costume, St. Mary's Square Museum, plus other attractions and various annual events. The 1990 census population is 1,400. St. Michaels, Maryland has its own postal zip code of 21663.

Pursuant to Section 307(b) of the Communications Act of 1935, as amended, requires that the Commission fairly, equitably, and efficiently distribute frequencies...among the several states and communities. The Commission has defined "communities" as geographically identifiable population groupings. Generally, if a community is incorporated or is listed in the U.S. Census, that is sufficient to satisfy its status.

St. Michaels is an incorporated town within Talbot County. St. Michaels is governed independently and holds elections for its own officials. St. Michaels has a property tax, for which it sets its own rate, billed and collected at the same time as county real estate taxes. St. Michaels retains authority for planning and zoning within its boundaries. St. Michaels provides services that include police protection, trash collection, water systems and most sewage systems, maintenance of streets and parks within its boundaries. This would be the first broadcast facility at St. Michaels.

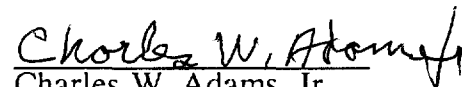
- (2) C.W.A.'s proposal to eliminate Channel 232A at Cambridge, Maryland and place at St. Michaels, Maryland will under the provisions of Section 1.420(1) of the commission's rules, result in a preferential arrangement of allotments. Currently, Cambridge Maryland is served by WCEM(AM) 1240 Khz; 1 KW-U, WCEM(FM) Channel 292-A (106.3, Mhz). Both stations are licensed to Cambridge, Maryland. CWA feels it's important to point out that Cambridge also receives a 70dbu "City Grade" signal from WCEI(FM) at Easton, Maryland Channel 244.B1 (96.7 Mhz) and a major part of Cambridge receives a 70dbu "City Grade" signal from WAAI (FM) at Hurlock, Maryland. Channel 263A (100.9Mhz) at 6KW from their transmitters site at north latitude: 38-37-28, west longitude: 75-53-20. It would appear should the commission adopt CWA proposal, that the community of Cambridge, Maryland would continue to be well serviced.

- (3) The attached engineering statement of C.W.A.'s consulting engineer firm of Lechman and Johnson, Inc., illustrates that the proposal to place channel 232A at St. Michaels, Maryland meets the commission's minimum distance requirements for a Class A FM at 6KW.

CONCLUSION

It is respectfully requested that the commission amend the FM Table of Allotments as requested. C.W.A. feels this change would be in the public interest.

Respectfully submitted,


Charles W. Adams, Jr.
President
C.W.A Broadcasting, Inc.
35 Solomon's Island Road
Annapolis, Maryland 21401

November 10, 1992

DECLARATION

ENGINEERING STATEMENT

Prepared For
C.W.A. Broadcasting, Inc.

Thomas J. Johnson says that he is an engineer and Vice President of Lechman & Johnson, Inc., Telecommunications Consultants, with offices located at 16201 Trade Zone Avenue, Suite 106, Upper Marlboro, Maryland, and that his qualifications are a matter of record with the Federal Communications Commission.

That the firm of Lechman & Johnson, Inc. has been retained by C.W.A. Broadcasting, Inc., permittee of Station WFBR, Cambridge, Maryland, to prepare this Engineering Statement in support of a Petition For Rule Making to amend the Table of FM Assignments, Section 73.202(b), to allocate Channel 232A from Cambridge to St. Michaels, Maryland. It is proposed to amend the Table of FM Assignments as follows:

<u>Community</u>	<u>Present Allocation</u>	<u>Proposed Allocation</u>
Cambridge, Maryland	232A	---
St. Michaels, Maryland	---	232A

A channel study was made to determine whether an upgrade could be made on the WFBR authorized channel which would comply with the Commission's minimum separation requirements of Section 73.207 of the Rules and Regulations. This study showed that Channel 232A would meet these separation requirements. The reference coordinates relied upon are as follows:

North Latitude: 38° 49' 17"
West Longitude: 76° 17' 27"

Table I is a list of existing stations, applications, allocations and proposed rulemakings of co-channel and adjacent channel assignments pertinent to allocating Channel 232A to St. Michaels, Maryland. The tabulation of distances shown in this Table were calculated by the methods prescribed in Section 73.208 of the Commission's Rules and Regulations, using the above reference point.

LECHMAN & JOHNSON, INC.

Declaration

Thomas J. Johnson

Page Two

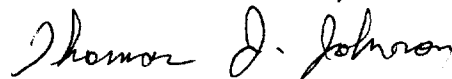
Figure 1 is a map showing the reference site and depicting the area where a station operating on Channel 232A could be located and meet all the separation requirements. Within this area a transmitter site can be chosen to provide principal community service field strength of 3.16 mV/m (70 dBu) over the entire city of St. Michaels Maryland.

A Class A facility may operate with maximum facilities of 6 kW ERP and antenna HAAT of 100 meters. With these facilities, the predicted distance to the 70 dBu (principal community) contour will extend to a distance of 16 kilometers. Section 73.315(a) of the FCC Rules And Regulations requires that the 70 dBu contour must encompass the boundaries of the principal community to be served. As shown in Figure 1, operation from the reference site with 6 kW ERP and 100 meters HAAT, the proposed operation will provide the requisite coverage to St. Michaels, Maryland in accordance with the provisions of Section 73.315(a) of the FCC Rules And Regulations.

The results of these studies show that Channel 232A can be assigned to WFBR, St. Michaels, Maryland consistent with the requirements of the Commission's Rules and Regulations.

I declare under penalty of perjury that the foregoing is true and correct.

LECHMAN & JOHNSON, INC.



Thomas J. Johnson
Telecommunications Consultant
November 6, 1992

LECHMAN & JOHNSON, INC.

TABLE I

SEPARATION STUDY
WFBR, CAMBRIDGE, MD

Channel 232A 038-49-17 / 076-17-27 erp : 6.000 kw eah : 100 m

Designation =====	Channel (MHz) =====	Pertinent Allocation or Authorized Station =====	Separation Actual =====	(Km) Required =====
Co-channel	232A (94.3)	WWOC, Avalon, NJ BMLH-891211KO 039- 7-48 / 074-47-20 3.30 kw / 91 m bearing from proposed = 74.72 deg	134.59	115 CLEAR (19.59 km)
Co-channel	232A (94.3)	WQRA, Warrenton, VA BPH-870331II 038-40-42 / 077-47-18 2.10 kw / 121 m bearing from proposed = 263.49 deg	131.15	115 CLEAR (16.15 km)
Co-channel	232A (94.3)	WQRA, Warrenton, VA BLH-781018AB 038-40-42 / 077-47-18 3.00 kw / 91 m bearing from proposed = 263.49 deg	131.15	115 CLEAR (16.15 km)
Co-channel	232A (94.3)	WQRA, Warrenton, VA BMPH-910926IJ 038-40-42 / 077-47-18 2.10 kw / 121 m bearing from proposed = 263.49 deg	131.15	115 CLEAR (16.15 km)
Co-channel	232A (94.3)	WFBR, Cambridge, MD BMPH-910118IG 038-37-53 / 076- 1-33 6.00 kw / 100 m bearing from proposed = 132.50 deg	31.24	115 <u>1</u> / SHORT (-83.76 km)
Co-channel	232A (94.3)	WICOFM, Salisbury, MD BPH-850927IF 038-21-39 / 075-37- 0 3.00 kw / 100 m bearing from proposed = 130.94 deg	77.87	115 <u>2</u> / SHORT (-37.13 km)

TABLE I

Page 2

SEPARATION STUDY
WFBR, CAMBRIDGE, MD

Channel 232A 038-49-17 / 076-17-27 erp : 6.000 kw eah : 100 m

Designation =====	Channel (MHz) =====	Pertinent Allocation or Authorized Station =====	Separation Actual =====	(Km) Required =====
Co-channel	232A (94.3)	WICOFM, Salisbury, MD BLH-830128AJ 038-21-39 / 075-37- 0 3.00 kw / 91 m bearing from proposed = 130.94 deg	77.87	115 <u>2</u> / SHORT (-37.13 km)
1st Adjacent	233B (94.5)	WDAC, Lancaster, PA BLH-880620KA 039-53-46 / 076-14-22 19.00 kw / 247 m bearing from proposed = 2.10 deg	119.40	113 CLEAR (6.40 km)
2nd Adjacent	230B (93.9)	WKYS, Washington, DC BLH-900130KB 038-56-24 / 077- 4-54 24.00 kw / 215 m bearing from proposed = 281.15 deg	69.88	69 CLEAR (0.88 km)
2nd Adjacent	234B (94.7)	WDSD, Dover, DE BLH-891002KB 039-12- 3 / 075-33-55 50.00 kw / 115 m bearing from proposed = 55.83 deg	75.66	69 CLEAR (6.66 km)
2nd Adjacent	234B (94.7)	WLTT, Bethesda, MD BLH-831013AA 038-57-49 / 077- 6-18 22.50 kw / 226 m bearing from proposed = 282.91 deg	72.38	69 CLEAR (3.38 km)
3rd Adjacent	235 (94.9)	<u>3</u> /		

SEPARATION STUDY
WFBR, CAMBRIDGE, MD

Channel 232A 038-49-17 / 076-17-27 erp : 6.000 kw eah : 100 m

Designation =====	Channel (MHz) =====	Pertinent Allocation or Authorized Station =====	Separation (Km) Actual Required =====
3rd Adjacent	229 (93.7)	<u>3</u> /	
I.F. Beat	285 (104.5)	<u>3</u> /	
	286 (104.7)	<u>3</u> /	

END OF STUDY

- 1/ This is the subject applicant's facility.
- 2/ This station has been ordered to move to another channel.
- 3/ No station close enough for consideration.

NOVEMBER 1992

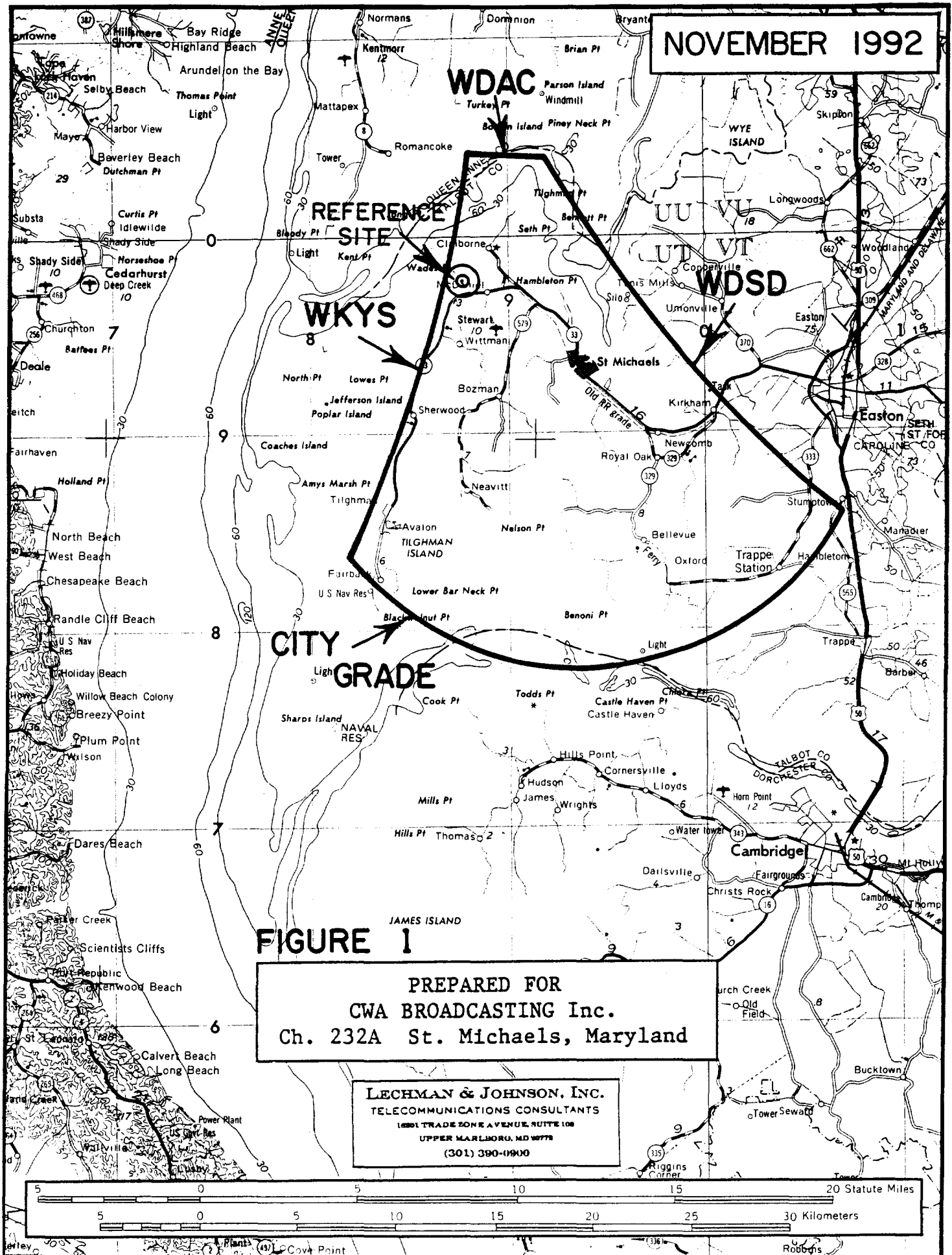


FIGURE 1

PREPARED FOR
CWA BROADCASTING Inc.
Ch. 232A St. Michaels, Maryland

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